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Federal Agencies

August 9, 2004

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PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 3743**  
**Examiner: T. Mitchell**  
**Confirmation No.: 3620**

Re: U.S. Utility Patent Application  
Application No. 09/511,267; Filed: February 23, 2000  
For: **Cartridge for a Liquid**  
Inventors: **EICHER *et al.***  
Our Ref: **0652.2020002/ALF**

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Third Supplemental Information Disclosure Statement;
2. List of Documents cited on Form PTO/SB/08a (2 pages);
3. A copy of each document cited on Form PTO/SB/08a (Doc. Nos. AA6 - AR6, FPD1-FPD4, and AA7-AG7); and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
August 9, 2004  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Albert L. Ferro  
Attorney for Applicants  
Registration No. 44,679

ALF/MAP/awt  
Enclosures

294270\_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
EICHER *et al.*  
Appl. No.: 09/511,267  
Filed: February 23, 2000  
For: **Cartridge for a Liquid**

Confirmation No.: 3620  
Art Unit: 3743  
Examiner: T. Mitchell  
Atty. Docket: 0652.2020002/ALF

**Third Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08a are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on March 10, 2004 in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO/SB/08a based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 6. A concise explanation of the relevance of the non-English language document, FPD2, appears in the translated abstract attached thereto.
- 7. Copies of the documents are submitted herewith.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

9. No copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

10. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08a, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

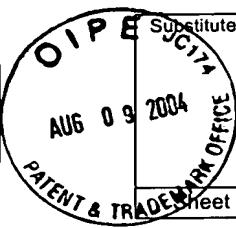


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Date: August 9, 2004

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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## Complete If Known

Application Number	09/511,267
Filing Date	February 23, 2000
First Named Inventor	Joachim EICHER
Art Unit	3743
Examiner Name	T. Mitchell
Attorney Docket Number	0652.2020002/ALF

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If Known)			
	AA6	US-3,878,977	04-22-1975	Carlisle	
	AB6	US-4,116,336	09-26-1978	Sorensen et al.	
	AC6	US-4,526,823	07-02-1985	Farrell et al.	
	AD6	US-4,559,052	12-17-1985	Babson	
	AE6	US-4,637,934	01-20-1987	White	
	AF6	US-5,102,010	04-07-1992	Osgar et al.	
	AG6	US-5,129,894	07-14-1992	Sommermeyer et al.	
	AH6	US-5,137,175	08-11-1992	Kowalski et al.	
	AI6	US-5,213,227	05-25-1993	Koyama et al.	
	AJ6	US-5,292,033	03-08-1994	Gueret	
	AK6	US-5,332,121	07-26-1994	Schmidt et al.	
	AL6	US-5,355,872	10-18-1994	Riggs et al.	
	AM6	US-5,370,272	12-06-1994	Gueret	
	AN6	US-5,421,485	06-06-1995	Furuta et al.	
	AO6	US-5,507,409	04-16-1996	Paradine	
	AP6	US-5,520,972	05-28-1996	Ezaki et al.	
	AQ6	US-5,730,328	03-24-1998	Maeder et al.	
	AR6	US-5,968,619	10-19-1999	Carmen et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>4</sup> Kind Code <sup>5</sup> (in known)				
	FPD1	AU 4552085	01-30-1986	Henkel KGAA		
	FPD2	EP 0 315 440 B1	05-10-1989	Merck & Co., Inc.		
	FPD3	EP 0 622 311 A2	11-02-1994	Shinko Kagaku Kabushiki Kaisha		
	FPD4	EP 0 368 112 A2	11-10-1988	Bramlage Gesellschaft Mit Beschränkter Haftung		

Examiner Signature

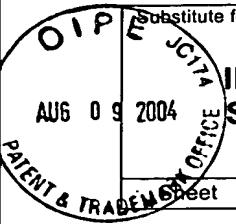
Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M PEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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